



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

Via Certified Mail No. 7000 0520 0021 6107 9695
In Reply Refer to: CWA-402-9-04-21

Brett Jones
Wayne J. Sand and Gravel
P.O. Box 27
Moorpark, CA 93020

Dear Mr. Jones:

Enclosed please find a Finding of Violation and Order for Compliance at Wayne J. Sand and Gravel, pursuant to sections 308 and 309 of the Clean Water Act. This Order requires Wayne J. Sand and Gravel to cease all unauthorized non-stormwater discharges and submit and implement a revised Storm Water Pollution Prevention Plan (SWPPP) meeting all the requirements of the General Permit.

This Order is in follow-up to the January 9, 2004 inspection of the Wayne J. Sand and Gravel facility for stormwater discharges associated with the NPDES General Permit No. CAS000001. This inspection found significant deficiencies in compliance with the General Permit at your facility. These deficiencies include unpermitted discharge of truck wash water, poorly maintained or missing best management practices (BMPs), inadequate monitoring of discharges, and significant omissions in the SWPPP.

My staff is available to discuss the requirements of this Order. If you have any questions on this matter, please contact Mr. John Hillenbrand at (415) 972-3494.

Sincerely,

A handwritten signature in cursive script that reads "Alexis Strauss".

Alexis Strauss

Director

Water Division

10 March 2004

Enclosure

cc: Sean Lee, Los Angeles RWQCB

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 9**

IN THE MATTER OF:

Wayne J. Sand and Gravel
9455 Buena Vista Drive
Moorpark, California

Docket No. CWA-402-9-04-021

)
)
) FINDINGS OF VIOLATION
) AND
) ORDER FOR COMPLIANCE
)
) Proceedings under Section 308(a) and 309(a)(3),
) (a)(4), and (a)(5)(A) of the Clean Water Act, as
amended, 33 U.S.C. Sections 1318(a), and
1319(a)(3), (a)(4), (a)(5)(A)

**FINDINGS OF VIOLATION
AND
ORDER FOR COMPLIANCE**

Statutory Authority

The following Findings are made pursuant to the authority vested in the Administrator of the Environmental Protection Agency ("EPA") by Sections 308(a) and 309(a)(3)-(5) of the Clean Water Act, as amended (the "Act"), 33 U.S.C. §§ 1318 (a) and 1319(a)(3)-(5). This authority has been delegated to the Regional Administrator of EPA, Region 9, and re-delegated by the Regional Administrator to the Director, Water Division.

Findings of Violation

On the basis of the following facts, the Director of the Water Division of EPA, Region 9, finds that Wayne J. Sand and Gravel Inc., is in violation of Discharge Prohibition A.1, Effluent Limitation B.3, Provision E.2 and E.3, StormWater Pollution Prevention Plan Requirement A.9, Monitoring Requirement B14, and Signatory Requirement C.9.b. of NPDES General Permit No. CAS000001, and therefore is in violation of Section 301(a) of the Act, 33 U.S.C. § 1311(a):

1. Section 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of pollutants into the navigable waters of the United States, except in compliance with certain sections of the Act, including section 402, 33 U.S.C. § 1342. Section 402 of the Act authorizes EPA, or approved States, to issue NPDES permits authorizing the discharge of pollutants into waters of

the United States.

2. Section 402(p) of the Act sets out requirements for the issuance of NPDES permits for the discharge of storm water. Section 402(p) requires, in part, that NPDES permits for the discharge of storm water associated with industrial activity must meet all applicable provisions of Sections 402 and 301 of the Act, 33 U.S.C. §§ 1342, 1311.

3. On November 16, 1990, EPA promulgated regulations at 40 C.F.R. Part 122 Section 26, implementing the storm water permit provisions of Section 402(p) of the Act, 33 U.S.C. § 1342(p).

4. 40 C.F.R. 122.26(b)(14) (iii) includes in the definition of storm water discharge associated with industrial activity "(f)acilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations . . ."

5. 40 CFR 122.26(c)(1) provides that "Dischargers of storm water associated with industrial activity . . . are required to apply for an individual permit, apply for a permit through a group application or seek coverage under a promulgated storm water general permit." 40 CFR 122.26(b)(14) describes conditions under which dischargers of storm water from mining operations are required to obtain permit coverage.

6. EPA has approved the State of California's NPDES program which is administered by the State of California's Water Resources Control Board (the "SWRCB").

7. On November 19, 1991, the SWRCB adopted General Permit No. CAS000001 (Order No. 91-13-DWQ) (the "General Permit") which regulates storm water discharges associated with industrial activity in California (excluding construction activities) and requires that all owners of property where specific, regulated categories of industrial activity occur must file for each site a Notice of Intent ("NOI") to be covered by the General Permit.

8. SWRCB issues Waste Discharge Identification ("WDID") Numbers to dischargers who have filed an NOI.

9. The General Permit was subsequently amended on September 17, 1992 (Order No. 92-12-DWQ) and on April 17, 1997 (Order No. 97-03-DWQ).

10. The General Permit, as amended, sets forth, in part, the following requirements:

- a. Discharge Prohibition A.1 which states that materials other than storm water (non-storm water discharges) that discharge either directly or indirectly to waters of the United States are prohibited.
- b. Effluent Limitation B.3 which requires that facility operators reduce or prevent

pollution through implementation of Best Available Technology Economically Achievable ("BAT") for toxic and non-conventional pollutants and Best Conventional Pollutant Control Technology ("BCT") for conventional pollutants. Effluent Limitation B.3 further states that development and implementation of a Storm Water Pollution Prevention Plan ("SWPPP") that complies with the requirements in Section A of the General Permit and that includes Best Management Practices ("BMPs") that achieve BAT/BCT constitutes compliance with this requirement.

- c. Provision E.2. which requires facility operators to implement a SWPPP in accordance with Section A of the General Permit and includes maintaining records.
- d. Provision E.3. which requires facility operators to implement a Monitoring Program in accordance with Section B of the General Permit and includes maintaining records.
- e. Section A.9. which requires facility operators to conduct one comprehensive site compliance evaluation in each reporting period (July 1 - June 30) and that the SWPPP shall be revised, as appropriate, and the revisions implemented within 90 days.
- f. Section A.10. which requires facility operators to have a SWPPP on site and available to a representative of the Regional Water Quality Control Board.
- g. Section B.14. which requires facility operators to submit an annual report by July 1 to the Executive Officer of the Regional Water Board.
- h. Section C.9.b. which requires that the SWPPP be signed by a person described in Section C.9.a or a duly authorized representative.

11. Wayne J. Sand and Gravel Inc. (Wayne J. Sand and Gravel) is a corporation organized under the laws of, and doing business in, California and is a "person" as defined by section 502(5) of the Act, 33 U.S.C. § 1362(5), and is therefore subject to its requirements.

12. Wayne J. Sand and Gravel is the owner and an operator of a facility on private land located north of the town of Moorpark, California.

13. The site covers 350 acres and includes an active sand and gravel mining and sorting operation with associated machinery and heavy equipment and includes an outdoor vehicle maintenance and parts storage area.

14. Wayne J. Sand and Gravel submitted a Notice of Intent, dated November 29, 1995, to the State Water Resources Control Board that discharges from its site be governed by the General Permit. The site is assigned identification number WDID 456S012042 and, therefore the facility is subject to the requirements of the General Permit for the facility.

15. On February 23, 2000, the California Regional Water Quality Control Board, Los Angeles Region ("RWQCB") issued a Notice to Comply (NTC) for an unavailable SWPPP, an unavailable copy of the General Permit and a lack of BMPs.

16. On January 4, 2002, the RWQCB issued a Notice of Violation (NOV) after a November 20, 2001 inspection found the site did not have an available SWPPP. A SWPPP was received by the RWQCB on January 21, 2002 in compliance with the NOV. The SWPPP that was submitted is highly inadequate, because it did not follow Section A (SWPPP Requirements) of the General Permit CAS000001. The SWPPP is missing a legible and accurate map, an adequate description of pollutant sources, a description of sediment BMPs, an adequate description of fuel and storage area BMPs, a monitoring plan, as well as other requirements described in Section A of the General Permit.

17. On June 6, 2002, the RWQCB issued a NTC after an inspection found an incomplete and unsigned SWPPP and poor BMPs. One problem area noted during the inspection was the storage of vehicle, mine and scrap metal parts outside with no BMPs to control/prevent discharge. A Wayne J. Sand and Gravel representative stated that the parts would be removed by the end of 2002. Although some had been removed, the majority of parts continue to be exposed to rain with inadequate BMPs in January 2004.

18. On July 19, 2002, the RWQCB issued a Notice of Non-Compliance (NNC) for failure to submit an annual report. An incomplete report was submitted on August 16, 2002.

19. On March 28, 2003, the RWQCB issued an NOV after a complaint inspection found ineffective petroleum spill controls, no sediment and erosion control BMPs, no BMP's applied to parts stored outside, and evidence of sediment pollutant discharges to waters of the US. Wayne J. Sand and Gravel responded within the proper time frame but the response was inadequate.

20. On May 2, 2003, the RWQCB issued an additional NOV for the same problems listed in the March 28, 2003 NOV. The NOV resulted from an April 29, 2003 inspection which found parts stored outside, ineffective petroleum and sediment control BMPs and new non-stormwater discharges of truck wash water.

21. A June 12, 2003 inspection found Wayne J. Sand and Gravel in substantial compliance with the NOV because it had repaired the leaking water truck, covered some of the scrap metal and vehicle parts with tarps and sold other scrap material although large amounts of scrap were still not protected from rain. The owner committed to building berms around the scrap metal and parts storage area and said he has submitted a sediment basin plan to Ventura County in order to meet the BMP requirement of the permit. As of January 2004, berms have not been built and Ventura County has not received any sediment basin BMP plans for approval.

22. A December 12, 2003 follow up inspection found non-stormwater truck wash water discharge, no tarps on exposed truck parts, no stormwater control berms that had been promised by the owner in June, uncontained petroleum stains on the ground, a lack of good housekeeping practices and a lack of effective erosion control BMPs. Monitoring of stormwater discharges has been inadequate.

23. An inspection by EPA and the Regional Board on January 9, 2004 found the same continuing problems as outlined above in addition to uncapped fuel secondary containment discharge pipes from the well pump diesel tank, runoff from the roof of the shop area being discharged through the parts storage and vehicle maintenance area, fresh oil pools on an uncontained vehicle maintenance area, non-stormwater vehicle wash water discharges, uncontained vehicle refueling area with substantial staining and inappropriate, ineffective or nonexistent BMP implementation across the site, including the mining area.

24. Discussions with the Ventura County Watershed Protection District has shown that Wayne J. Sand and Gravel has not submitted a sediment basin plan to the county as stated by Wayne J. Sand and Gravel personnel during field discussions on June 12, 2003 and January 9, 2004.

25. I therefore find that Wayne J. Sand and Gravel is in violation of the NPDES Permit No. CAS000001, and thus is in violation of section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a).

Order for Compliance

Considering the foregoing Findings and the potential environmental and human health effects of the violations, EPA has determined that compliance in accordance with the following requirements is reasonable. Pursuant to the authority of Section 308 and 309 of the Act, 33 U.S.C. §§ 1318 and 1319, **it is hereby ordered that** Wayne J. Sand and Gravel takes steps to fully and completely comply with the General Permit, including the following:

26. Immediately upon receipt of this order, cease all unauthorized non-storm water discharge to Waters of the US, in particular from the truck wash area.

27. By April 30, 2004, submit a revised SWPPP meeting all the requirements of the General Permit including Sections A (SWPPP Requirements) and B (Monitoring and Reporting). It shall include, at a minimum, the following:

- a. an identification and assessment of pollution sources including an adequate site map of the entire property depicting the information required in the SWPPP;
- b. a description of all appropriate best management practices (BMPs) for areas where BMPs are not in place or need modification, including performance standards and specifications. This includes a plan to either eliminate sources of, or install proper BMPs for, stormwater discharges from all scrap metal, vehicle, mine and other parts located on site;
- c. a plan for regular inspection and maintenance of stormwater facilities including how storm water facility deficiencies will be detected and repaired; and

d. a time schedule for implementing the SWPPP including construction of BMPs.

28. Implement the revised SWPPP, by the schedule provided, with any modifications directed by EPA or the RWQCB in accordance with the General Permit's requirements and all other applicable laws and regulations.

29. By July 31, 2004, submit the cost incurred after January 1, 2004, to come into compliance with the Act including the cost of planning, designing, engineering, construction and SWPPP modification.

Other Requirements and Conditions

30. All reports submitted pursuant to this order must be signed by a principal executive officer or duly authorized representative of Wayne J. Sand and Gravel [as specified by 40 CFR 122.22 (b)(2)] and shall include the following statement:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

31. All submissions requested by this Order shall be mailed to:

U.S. Environmental Protection Agency
CWA Compliance Office Attn: John Hillenbrand
75 Hawthorne Street
San Francisco, CA 94107

California Regional Water Quality Control Board
Los Angeles Region Attn: Sean Lee
320 W. 4th Street
Los Angeles, CA 90013

Telephone inquiries should be made to John Hillenbrand at (415) 972-3494.

32. This Order does not waive or modify or in any way relieve Wayne J. Sand and Gravel of its obligations imposed by the Act or any other Local, State, or Federal law. EPA reserves the right to seek any and all remedies available under Section 309(b), (c), (d), or (g) for any violation cited in this Order.

33. EPA has promulgated regulations to protect the confidentiality of the business information it receives. These regulations are set forth in 40 CFR Part 2, Subpart B. A claim of business confidentiality may be asserted in the manner specified by 40 CFR Section 2.203(b) for all or part of the information requested. If no claim accompanies the business information at the time EPA receives it, EPA may make it available to the public without further notice.

34. This requirement for information is not subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act because it is not a "collection of information" within the meaning of 44 U.S.C. §§ 3502(3). It is directed to fewer than ten persons and is an exempt investigation under 44 U.S.C. § 3518(c)(1) and 5 C.F.R. § 1320.4(a)(2).

35. Failure to respond, or any other violation of the terms of this Order could subject Wayne J. Sand and Gravel to a civil action for appropriate relief pursuant to Section 309(b) of the Act [33 U.S.C. 1319(b)], and/or penalties under Section 309(d) of the Act [33 U.S.C. 1319(d)]. In addition, Section 309(c)(1) of the Act [33 U.S.C. 1319(c)(1)] provides that negligent violations may be punished by a fine of not less than \$2,500 per day or more than \$25,000 per day of violation, or imprisonment for not more than one year, or both. Section 309(c)(2) of the Act [33 U.S.C. 1319(c)(2)] provides that knowing violations may be punished by a fine of not less than \$5,000 per day or more than \$50,000 per day of violation, or imprisonment for not more than three years, or both. Section 309(c)(4) of the Act [33 U.S.C. 1319(c)(4)] provides penalties for knowingly making false statements.

36. Issuance of an Order for Compliance shall not be deemed an election by EPA to forego any administrative, civil, or criminal action to seek penalties, fines, or other appropriate relief under the Act.

37. This Order shall become effective upon the date of receipt by Wayne J. Sand and Gravel Inc.

10 March 2004
Date

Alexis Strauss
Alexis Strauss, Director
Water Division



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

Brett Jones
Wayne J. Sand and Gravel
P.O. Box 27
Moorpark, CA 93020

Re: Clean Water Act Administrative Order 402-9-04-021

Dear Mr. Jones,

As a follow-up to the May 12, 2004 conversation between John Hillenbrand of my staff and your consultant, Terry Balog of Frog Environmental, this letter serves as notice that you are in violation of Item 27 of the above referenced Order which requires a Stormwater Pollution Prevention Plan (SWPPP) to meet all of the requirements of the General Industrial Stormwater Permit, including Sections A (SWPPP Requirements) and B (Monitoring and Reporting). EPA has received an undated copy of your SWPPP and it does not meet the requirements of the Order.

The SWPPP is inadequate because it either is missing or inaccurately follows the requirements of Section A of the permit. For example, it does not include an adequate site map of the entire property as required in Section A.4.a., b., d. and e.; it does not describe all significant materials, such as exposed mining areas, mine waste areas and vehicle, mine, and scrap metal parts as required in Section A.5.; it does not provide an adequate description of all pollution sources, including the active mining area, as outlined in Section A.6.; the BMP description required in Section A.8. is inaccurate and inadequate; it does not include all structural BMPs necessary to address all the pollutant sources (settling ponds are not adequate for treating fuel and oil & grease) and it allows non stormwater to discharge. Lastly, April 2005 is too long a time to isolate or remove scrap materials from exposure to stormwater. There are many other missing and inaccurate statements in the SWPPP that can be corrected by closely following the permit requirements, especially Section A.

Furthermore, the Order outlines the specific deficiencies at your site in findings 15 through 23 that need to be corrected. As stated in Finding 35 of the Order, failure to comply with the Order and the Clean Water Act requirements may subject you to further enforcement actions including penalties. Please call John Hillenbrand at (415) 972-3494 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Kathi Moore". To the right of the signature, the date "5/14/04" is handwritten.

Kathi Moore, Chief
Clean Water Act Compliance Office

cc: Terry Balog, Frog Environmental
Sean Lee, Los Angeles RWQCB



{In Archive} Re:
Sean Lee to: John Hillenbrand

08/18/2004 01:47 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

John,

Let me know if you can open attached pictures. After reviewing those pictures, can you call me to discuss?

>>> <Hillenbrand.John@epamail.epa.gov> 08/18/04
07:58AM >>>

Terry, Sean and I talked yesterday about Wayne J Sand and Gravel, your client, and we could not find any record of the costs incurred after January 1, 2004 for planning, designing, engineering, construction and SWPPP modification. This cost record was due on July 31, 2004 as required under item 29 of Order CWA-402-9-04-21.

Send this required information and if already sent, provide a copy.

Please respond and let me know what your plan is.

Thank you, John Hillenbrand

John Hillenbrand
Clean Water Act Compliance Office
75 Hawthorne Street
San Francisco CA 94105
415-972-3494



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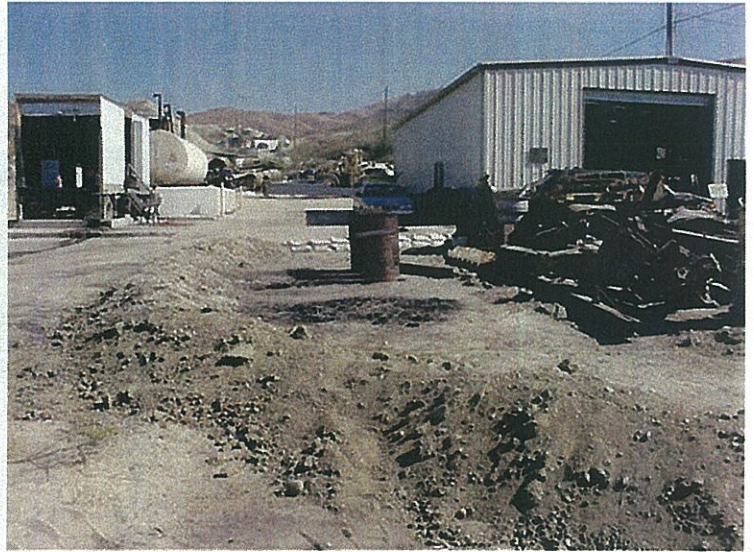
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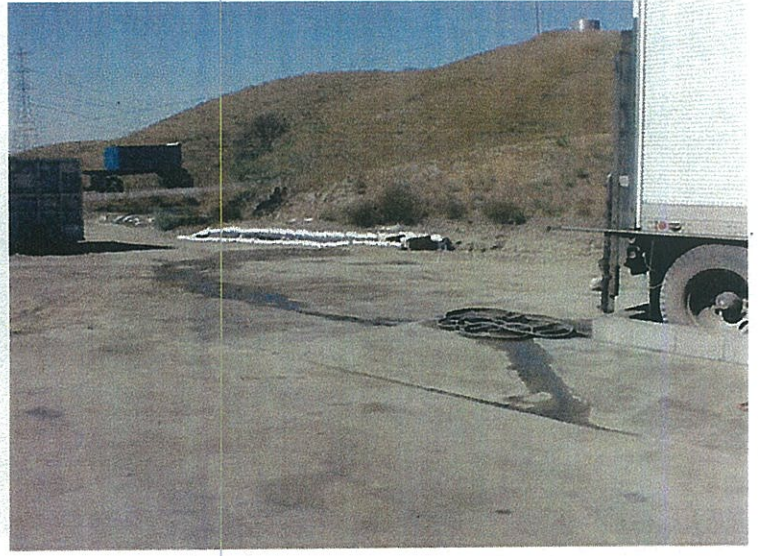
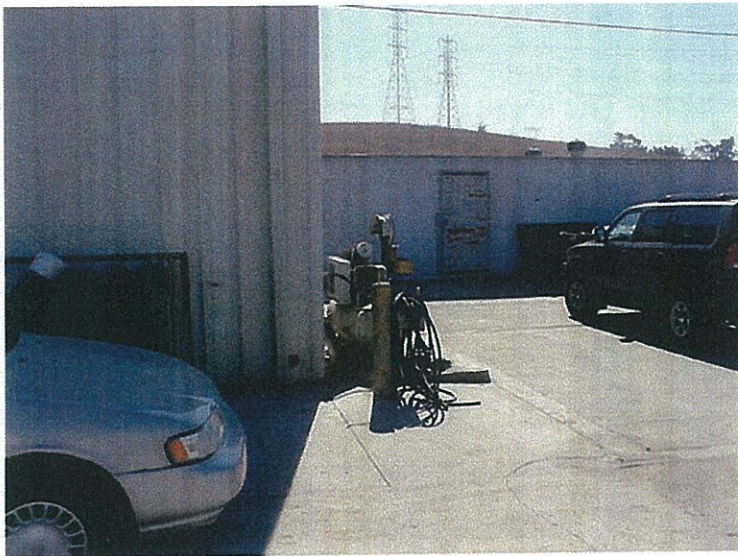
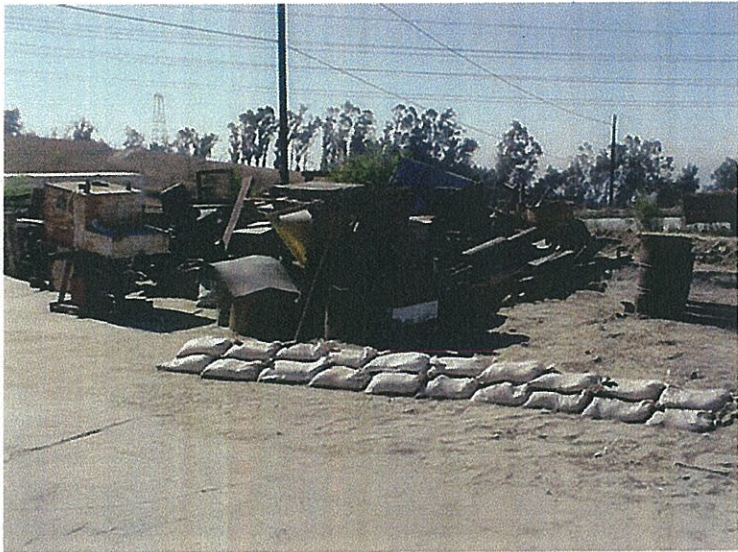


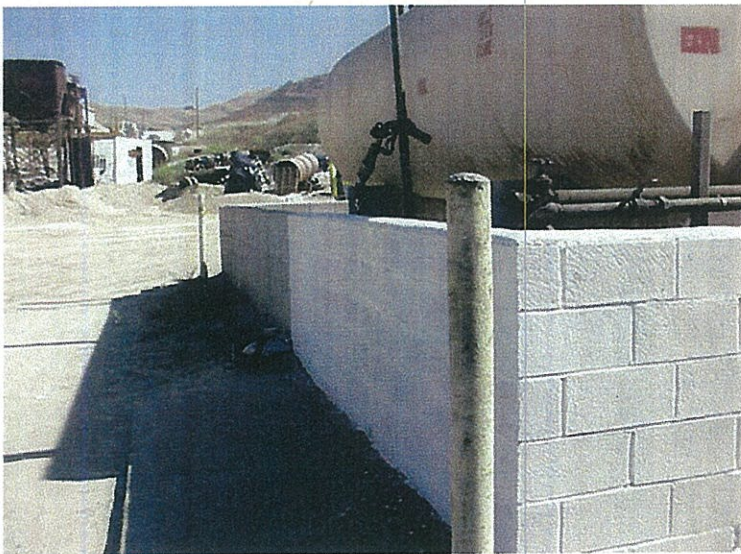
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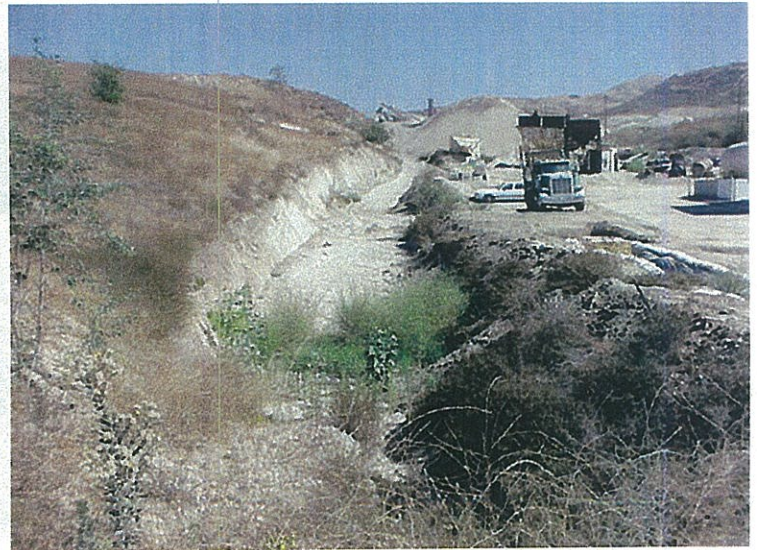
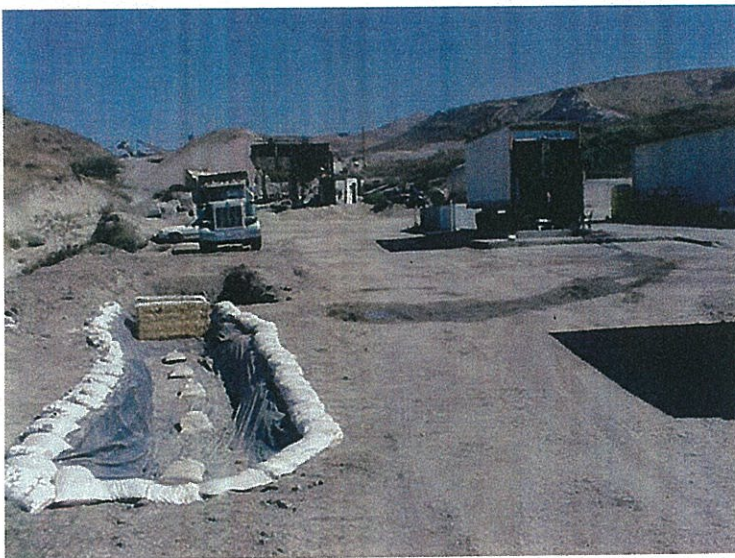
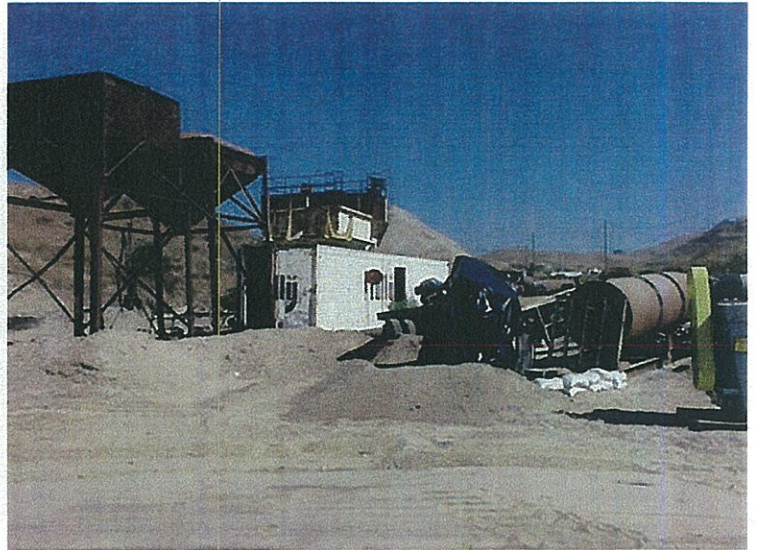


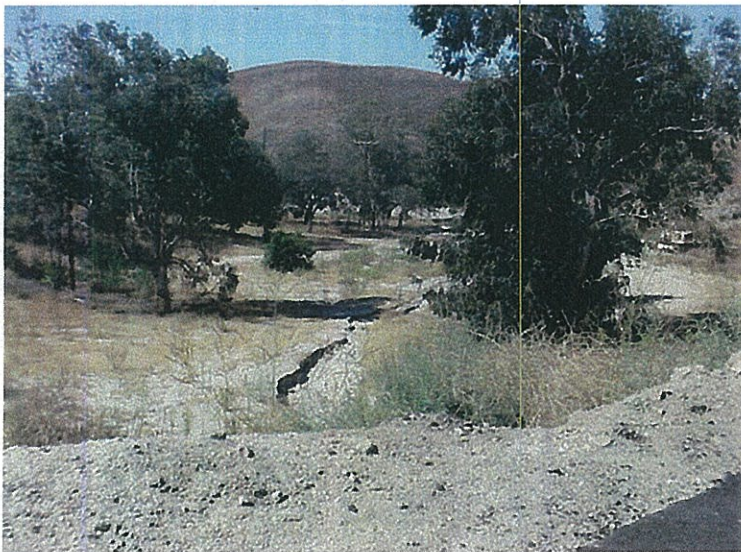
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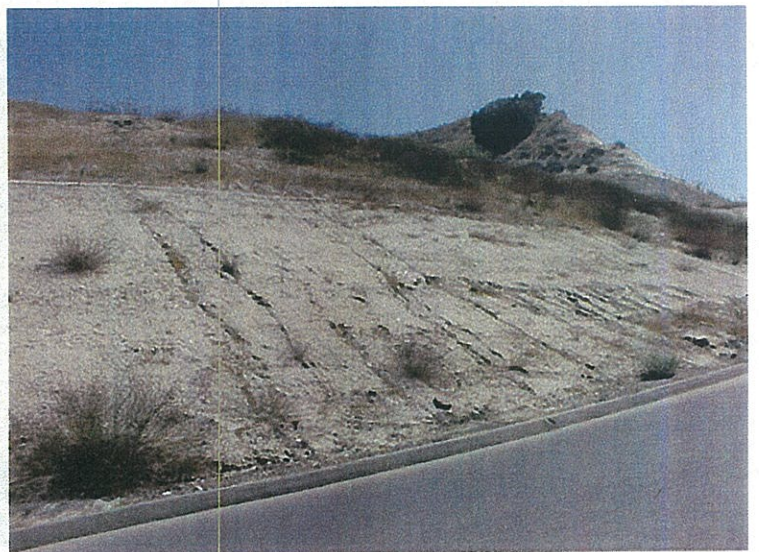
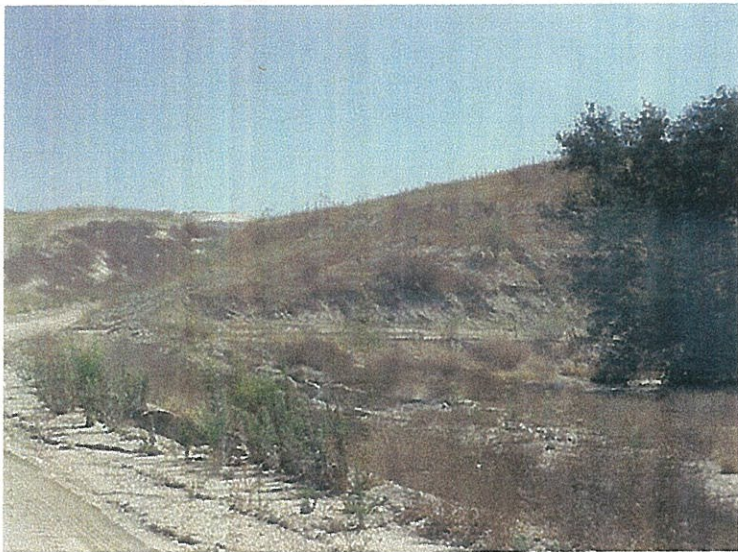














{In Archive} Re:
Sean Lee to: John Hillenbrand

08/18/2004 01:45 PM

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John,

here are more pictures.

>>> <Hillenbrand.John@epamail.epa.gov> 08/18/04
07:58AM >>>

Terry, Sean and I talked yesterday about Wayne J
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Send this required information and if already sent,
provide a copy.

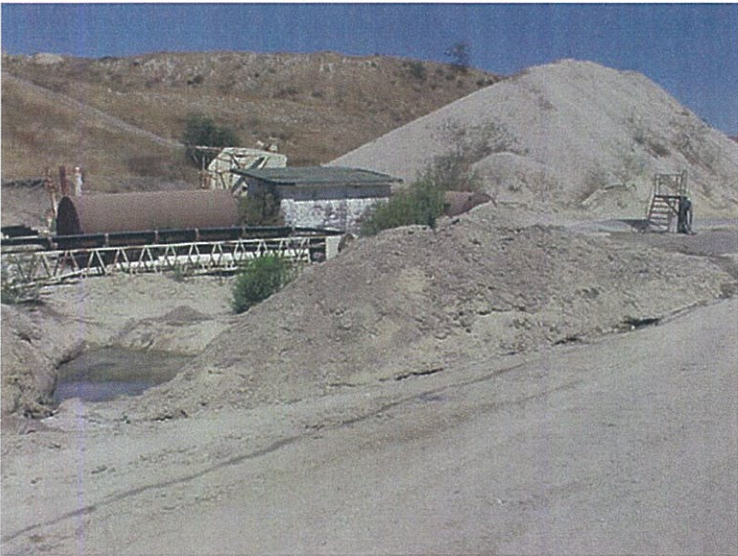
Please respond and let me know what your plan is.

Thank you, John Hillenbrand

John Hillenbrand
Clean Water Act Compliance Office
75 Hawthorne Street
San Francisco CA 94105
415-972-3494



MVC-004S.JPG MVC-001S.JPG MVC-002S.JPG MVC-003S.JPG





{In Archive} Re: Wayne J. Sand & Gravel
Sean Lee to: terryjbalog

08/18/2004 07:31 AM

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okay

>>> "Terry J Balog" <terryjbalog@sbcglobal.net>
08/18/04 06:42AM >>>
thanks for the notice sean, wayne J appreciates it.
Adam will meet you at
the work trailer at 10.00 AM. thanks.

Terry John Balog
Frog Environmental
1-877-FROG-ENV
www.frogenv.com

----- Original Message -----
From: "Sean Lee" <slee@rb4.swrcb.ca.gov>
To: <terryjbalog@sbcglobal.net>
Sent: Tuesday, August 17, 2004 5:02 PM
Subject: Wayne J. Sand & Gravel

Terry,

I just let you know that I am coming to the Wayne J.
Sand & Gravel at 10am.
If you could, you are welcome to represent the
facility.

Thanks

Call me at office at 213 620 2122 before 9am call me
at 213 305 2259 cell
after 9am.

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777



{In Archive} Wayne
Sean Lee to: John Hillenbrand

08/17/2004 01:47 PM

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John,

I am going to the Wayne. tomorrw. As I remember, you want to inform Frog. couple hours in advance and make sure Brett is in at the facility.

My planning is to call both of them in tomorrow morning around at 8 and to be there by 10am.

What do you think. [REDACTED]
[REDACTED]
[REDACTED]

Thank you

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777

{In Archive} Re: Wayne 
John Hillenbrand to: Sean Lee

08/03/2004 02:29 PM

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No problem, thanks for letting me know
Sean Lee <slee@rb4.swrcb.ca.gov>



Sean Lee
<slee@rb4.swrcb.ca.gov>
v>

To: John Hillenbrand/R9/USEPA/US@EPA
cc:
Subject: Wayne

08/03/2004 08:31 AM

John,

Due to the Audit of Ventura County cities in next week (whole week), my schedule is pretty tied up for that. I may have to revisit the Wayne's site next following weeks or so.

Thanks



{In Archive} Wayne
Sean Lee to: John Hillenbrand

08/03/2004 08:33 AM

History: This message has been forwarded.
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John,

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Thanks



{In Archive} return
Sean Lee to: John Hillenbrand

07/14/2004 03:39 PM

History: This message has been forwarded.

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John,

I've got your message. I am planning to visit them in August. Also, I can give them a call to arrange a site meeting. No problem.

Thanks

{In Archive} Re: return 

John Hillenbrand to: Sean Lee

07/14/2004 03:42 PM

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Thanks Sean, I appreciate it.
Sean Lee <slee@rb4.swrcb.ca.gov>



Sean Lee
<slee@rb4.swrcb.ca.gov>
v>


To: John Hillenbrand/R9/USEPA/US@EPA
cc:
Subject: return

07/14/2004 03:38 PM

John,

I've got your message. I am planning to visit them in August. Also, I can give them a call to arrange a site meeting. No problem.

Thanks

{In Archive} Re: Wayne J. 
John Hillenbrand to: Sean Lee

06/29/2004 10:41 AM

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Sean, FYI, I served Brett with the old order through the County Sheriff. I am working on the comments to the SWPPP. Any thing else happening at the site?



{In Archive} Re: Wayne J.
Sean Lee to: John Hillenbrand

06/29/2004 12:50 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.


Good, John.

I forgot about it, sorry.

[REDACTED]
[REDACTED]

>>> <Hillenbrand.John@epamail.epa.gov> 06/29/04
10:41AM >>>

Sean, FYI, I served Brett with the old order
through the County
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Any thing else
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{In Archive} Re: Wayne J. 
John Hillenbrand to: Sean Lee

06/29/2004 01:57 PM

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~~Working on the surrounding sites?~~
Sean Lee <slee@rb4.swrcb.ca.gov>



Sean Lee
<slee@rb4.swrcb.ca.gov>
v>

To: John Hillenbrand/R9/USEPA/US@EPA
cc:
Subject: Re: Wayne J.

06/29/2004 12:48 PM

Good, John.

I forgot about it, sorry.

~~Working on the surrounding sites?~~
~~Working on the surrounding sites?~~

>>> <Hillenbrand.John@epamail.epa.gov> 06/29/04 10:41AM >>>

Sean, FYI, I served Brett with the old order through the County Sheriff. I am working on the comments to the SWPPP. Any thing else happening at the site?



{In Archive} Re: Wayne J.
Sean Lee to: John Hillenbrand

06/29/2004 02:03 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

John,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

>>> <Hillenbrand.John@epamail.epa.gov> 06/29/04
01:57PM >>>

[REDACTED]

Sean Lee
<slee@rb4.swrcb.c To:
John Hillenbrand/R9/USEPA/US@EPA
a.gov> cc:
Subject: Re: Wayne J.
06/29/2004 12:48
PM


Good, John.

I forgot about it, sorry.

[REDACTED]
[REDACTED]
[REDACTED]

>>> <Hillenbrand.John@epamail.epa.gov> 06/29/04
10:41AM >>>

Sean, FYI, I served Brett with the old order
through the County
Sheriff. I am working on the comments to the SWPPP.
Any thing else
happening at the site?

{In Archive} Re: Wayne J. 
John Hillenbrand to: Sean Lee

06/04/2004 02:43 PM

Archive: This message is being viewed in an archive.

Got it
Sean Lee <slee@rb4.swrcb.ca.gov>



Sean Lee
<slee@rb4.swrcb.ca.gov>
v>

To: John Hillenbrand/R9/USEPA/US@EPA
cc:
Subject: Wayne J.

06/04/2004 02:38 PM

John,

The owner was not at the site, so I could not deliver a copy of the Order.
Also, they did not have BMPs on upside of stream channel that you were pointed
out during our phone conversation. I will deliver in next time.

see photos

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777



Wayne J..doc



{In Archive} Wayne J.
Sean Lee to: John Hillenbrand

06/04/2004 02:39 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

John,

The owner was not at the site, so I could not deliver a copy of the Order. Also, they did not have BMPs on upside of stream channel that you were pointed out during our phone conversation. I will deliver in next time.

see photos

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777



Wayne J..doc





{In Archive} Wayne J.
Sean Lee to: John Hillenbrand

05/14/2004 01:34 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

John,

My supervisor signed off the inspection reports. You will get it in couple days

In short, they did not take your Order and our NOVs seriously.

Talk you later.

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777



{In Archive} Wayne. J.
Sean Lee to: John Hillenbrand
Cc: ChrisA.Stephens

05/13/2004 04:55 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

John,

Here are pictures.

Except building two non-storm water containments, the site condition has not been changed contrary to statements in the SWPPP.

thanks

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777



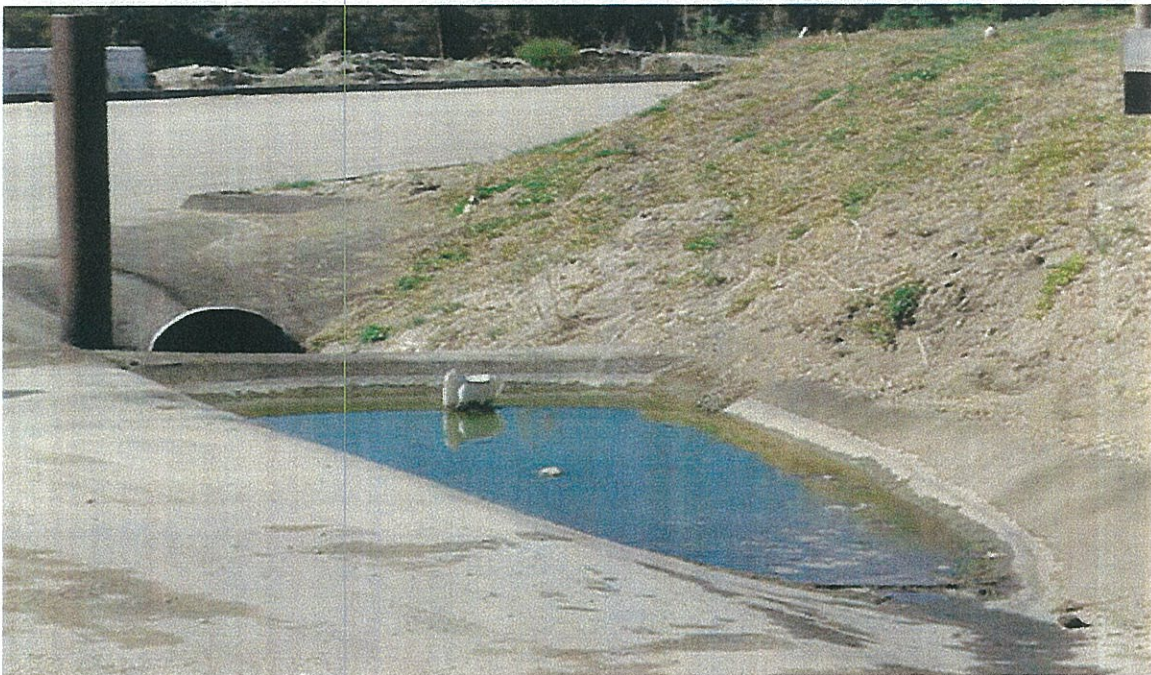
Wayne J. Sand & Gravel (F.U).doc

WDID#: 456C315884 (Construction), 456I012042 (Industrial Facility)
Facility: Wayne J. Sand & Gravel, Inc.
Inspection Date: May 13, 2004

1)



2)



3)



4)



5)



6)



7)



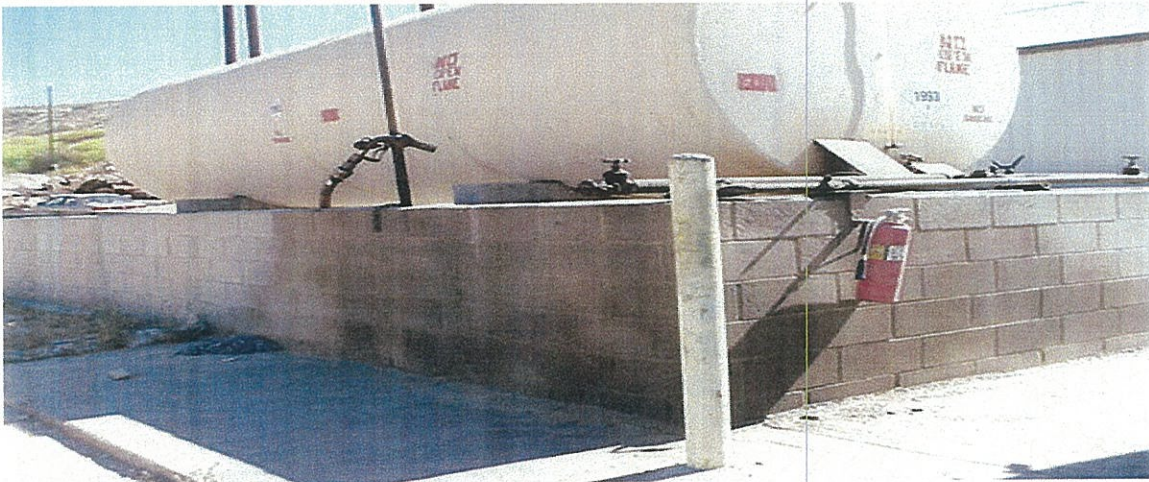
8)



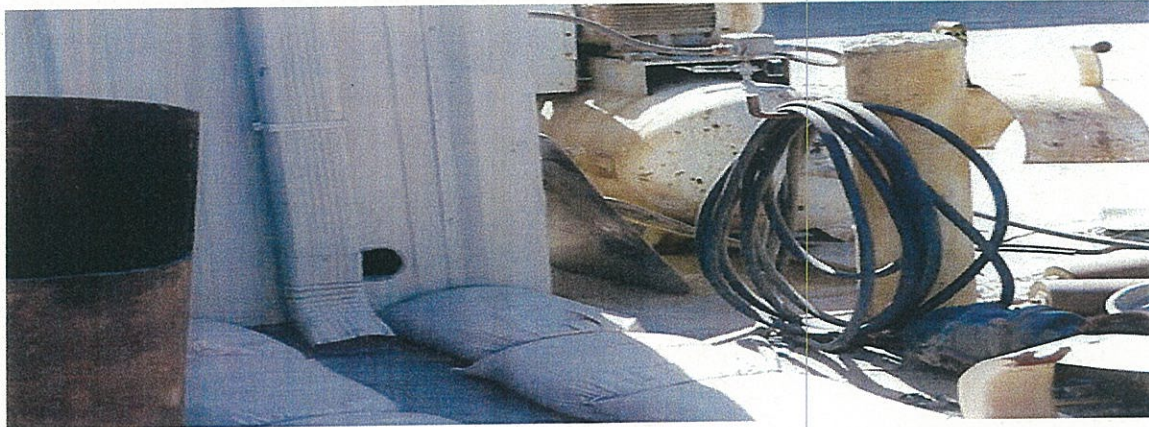
9)



10)



11)



12)



13)



14)



15)



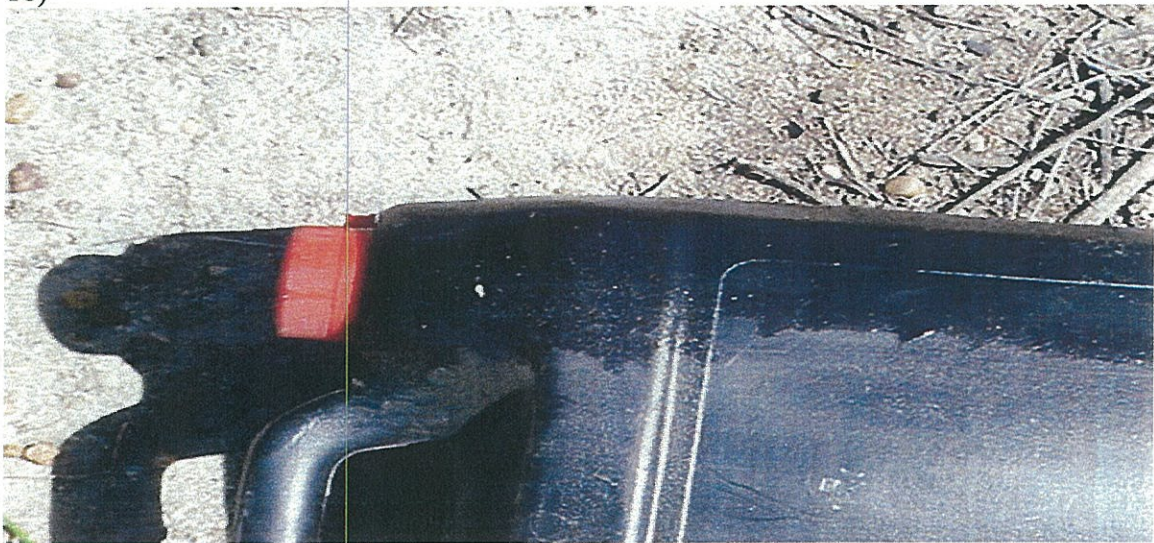
16)



17)



18)



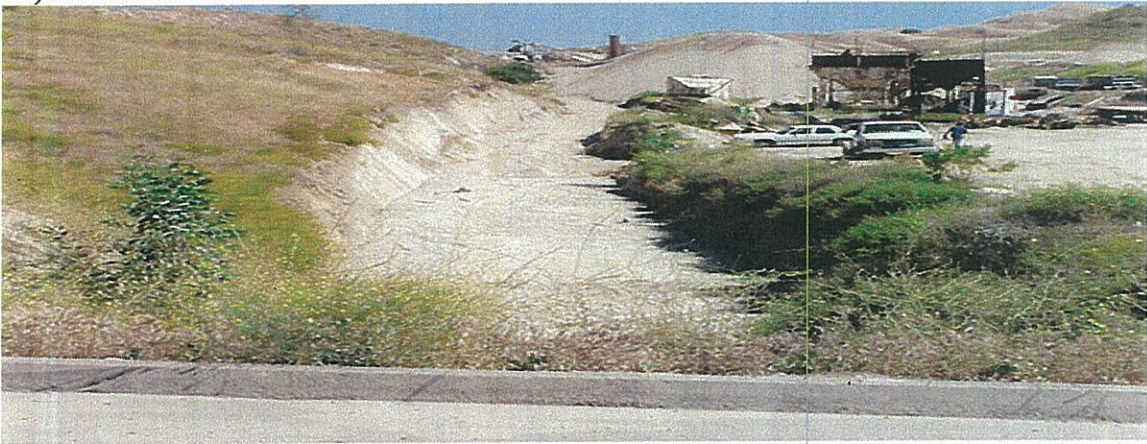
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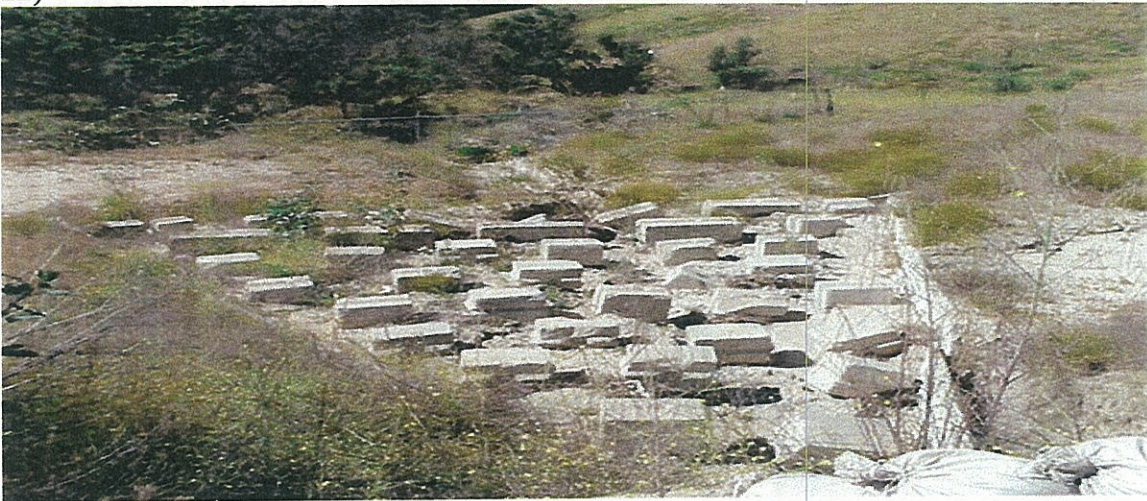
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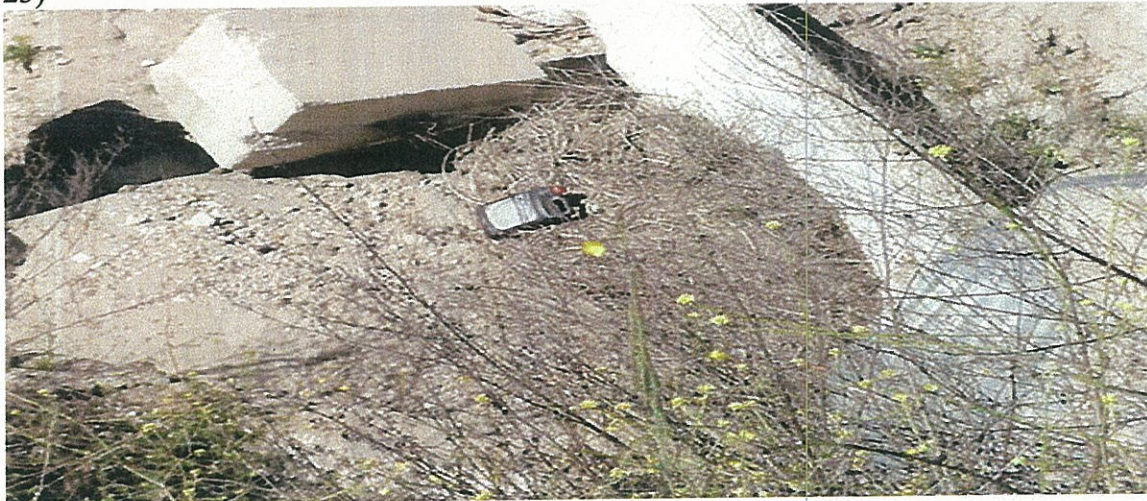
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22)



23)



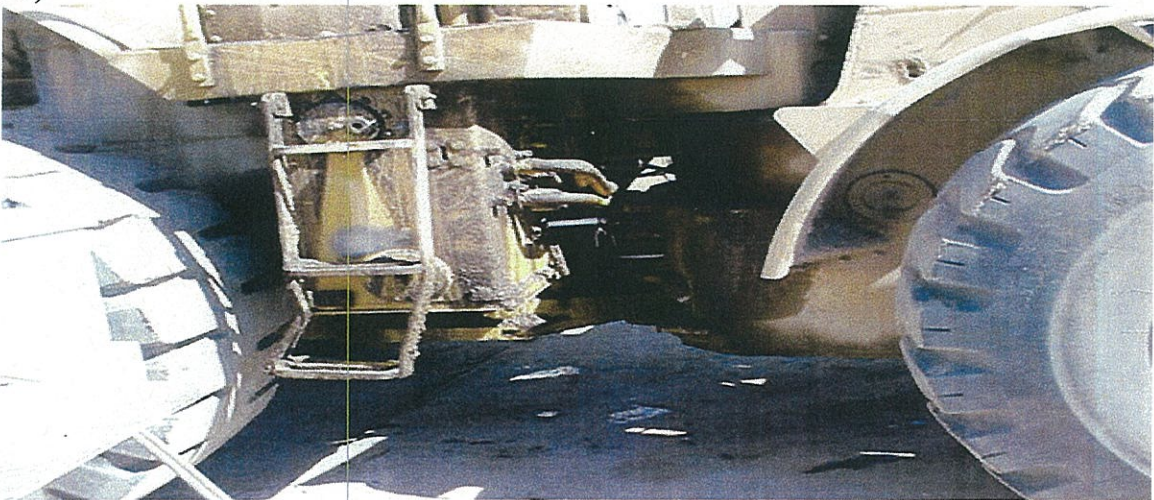
24)



25)



26)



27)



28)



29)



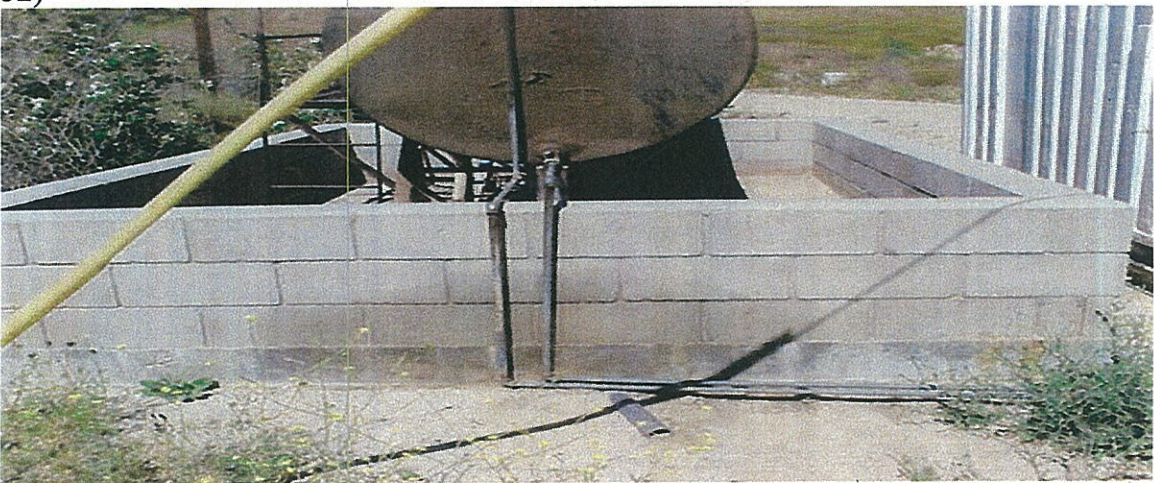
30)



31)



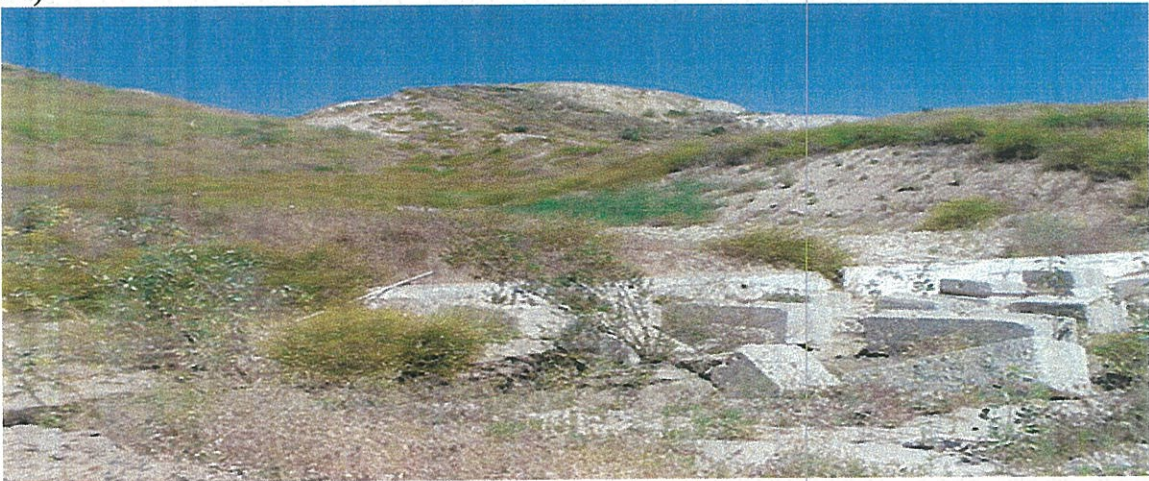
32)



33)



34)



35)



36)



37)



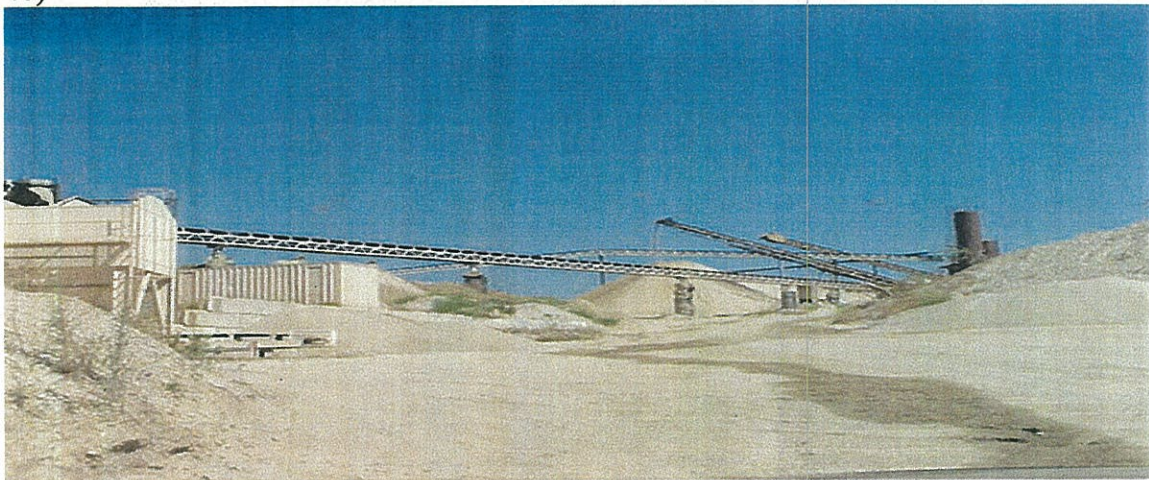
38)



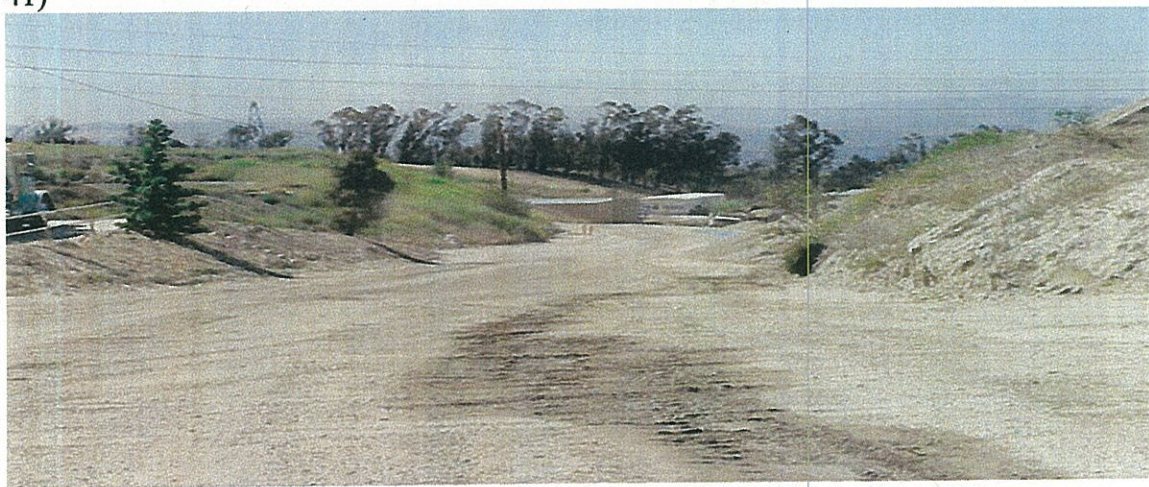
39)



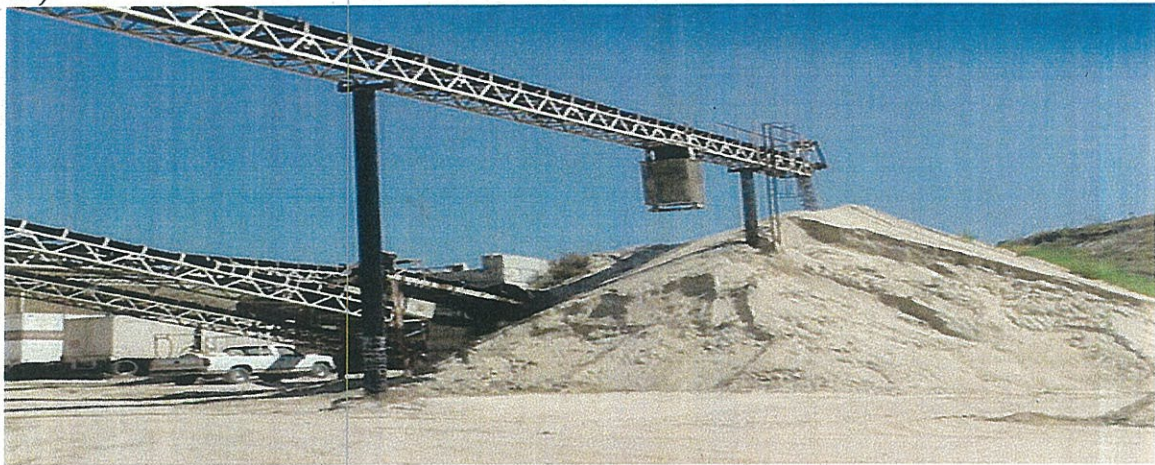
40)



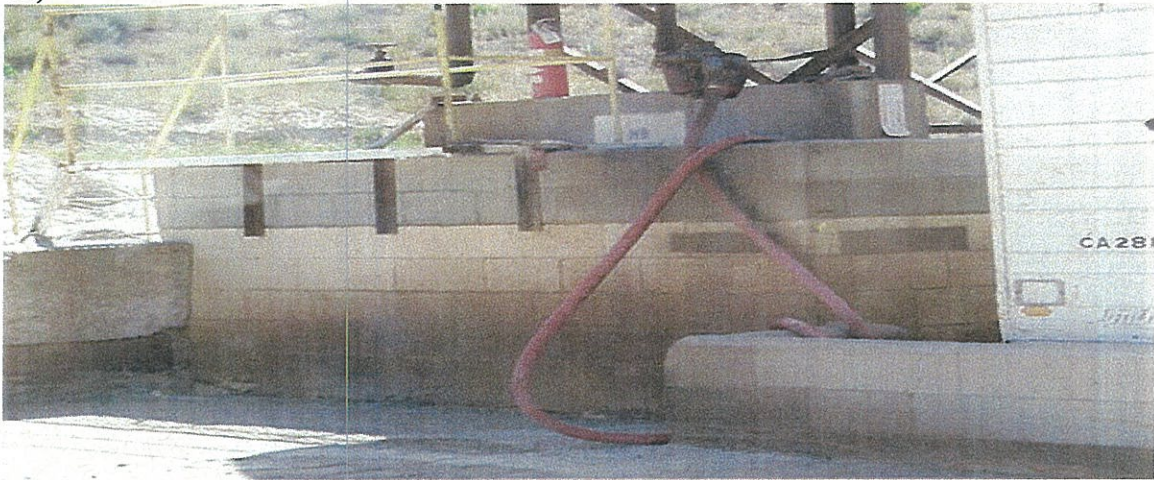
41)



42)



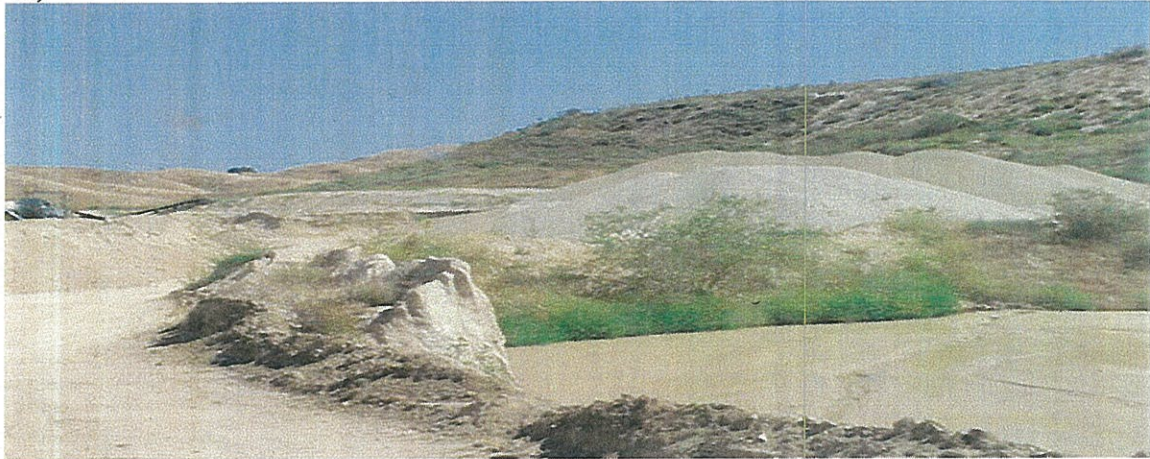
43)



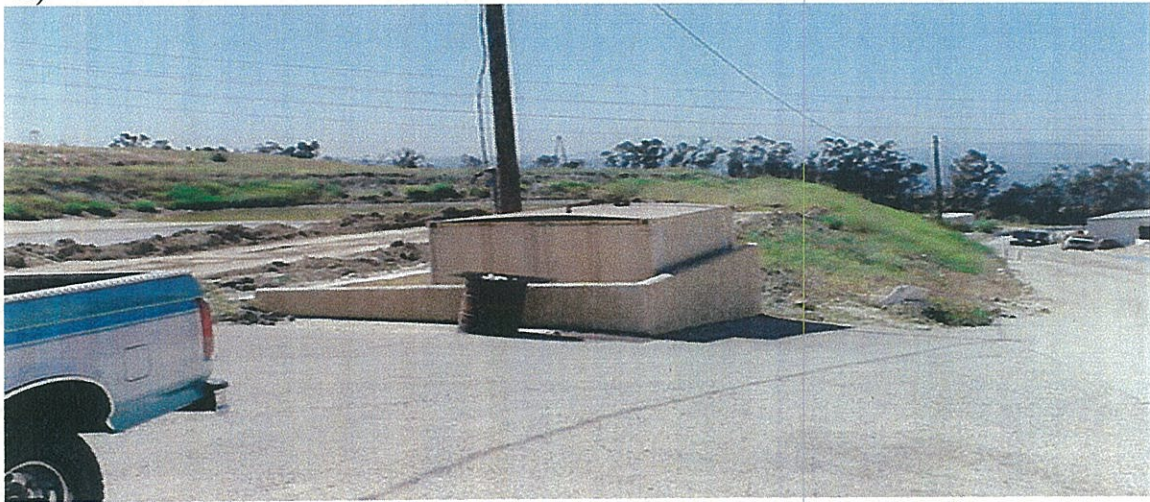
44)



45)



46)



47)



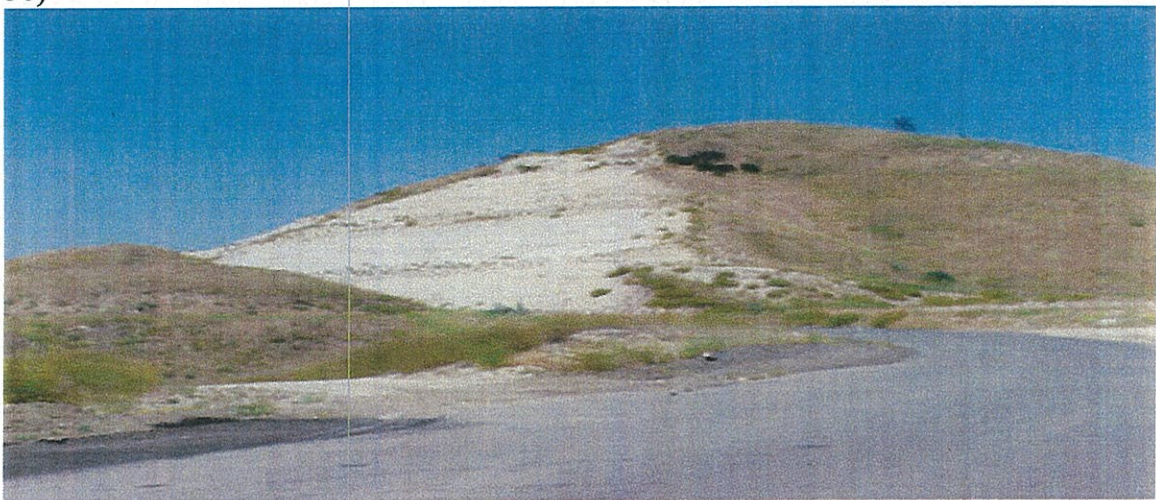
48)



49) From this, mine access road construction pictures



50)



51)



52)



53)



54)



{In Archive} Re: Wayne. J. 

John Hillenbrand to: Sean Lee

05/13/2004 05:04 PM

Archive: This message is being viewed in an archive.

Sean Lee <slee@rb4.swrcb.ca.gov>



Sean Lee
<slee@rb4.swrcb.ca.gov>
v>

To: John Hillenbrand/R9/USEPA/US@EPA
cc: ChrisA.Stephens@mail.co.ventura.ca.us
Subject: Wayne. J.

05/13/2004 04:52 PM

John,

Here are pictures.

Except building two non-storm water containments, the site condition has not been changed contrary to statements in the SWPPP.

thanks

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777



Wayne J. Sand & Gravel (F.U).d



{In Archive} Re: Wayne. J.
Sean Lee to: John Hillenbrand

05/13/2004 05:13 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

Thanks John

I will email you pictures with note tomorrow. Also, once, my supervisor signs off my inspection report, I will mail you a copy of that too.

>>> <Hillenbrand.John@epamail.epa.gov> 05/13/04
05:04PM >>>

Sean Lee
<slee@rb4.swrcb.c To:
John Hillenbrand/R9/USEPA/US@EPA
a.gov> cc:
ChrisA.Stephens@mail.co.ventura.ca.us
Subject: Wayne. J.
05/13/2004 04:52
PM

John,

Here are pictures.

Except building two non-storm water containments, the site condition has not been changed contrary to statements in the SWPPP.

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Sean Lee
Water Resources Control Engineer
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Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777

(See attached file: Wayne J. Sand & Gravel (F.U).doc)



{In Archive} pictures
Sean Lee to: Hillenbrand.John

05/13/2004 05:00 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

John,

Can you email me that pictures to me? Somehow, I lost them.



{In Archive} Re: Wayne J. Jones
Sean Lee to: Hillenbrand.John

05/12/2004 02:54 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

John,

Today, I've got a copy of SWPPP too.

>>> <Hillenbrand.John@epamail.epa.gov> 05/05/04
04:37PM >>>

[REDACTED]

[REDACTED]

[REDACTED]



{In Archive} Re: Wayne J. Jones
Sean Lee to: John Hillenbrand

05/05/2004 04:42 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

I got it.

>>> <Hillenbrand.John@epamail.epa.gov> 05/05/04
04:37PM >>>

[REDACTED]

[REDACTED]

[REDACTED]



{In Archive} Re: Wayne J. Jones
Sean Lee to: John Hillenbrand
Cc: Ejigu Solomon

05/04/2004 01:49 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

Thanks,

Let me know when you receive it.

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777

>>> <Hillenbrand.John@epamail.epa.gov> 05/04/04
08:40AM >>>

Nothing has shown up here yet.

Sean Lee
<slee@rb4.swrcb.c To:
John Hillenbrand/R9/USEPA/US@EPA
a.gov> cc:
Subject: Wayne J. Jones
05/04/2004 07:53
AM

Hi, John

I hope you have been well,

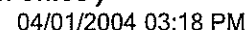
As far as I know, April 30 was due date for Wayne to
submit a revised
SWPPP to you and me.

Did they submit a SWPPP to you? I have not received
it.

Thanks

Sean Lee

Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777



Cc: Ejigu Solomon

[REDACTED] has come to my attention that some of you have sent out [REDACTED]
[REDACTED] we orders on cases have been regional board 4 territory and
we have not sent the press release to the Board stateside we sent it
[REDACTED] the news services. Apparently our press releases have
[REDACTED] sound as if the Regional Board
[REDACTED] have not been doing an adequate job on the cases that are referred.
Please send [REDACTED]
[REDACTED] Board state ahead of time. This is likely
as in other
Regional Boards as well. Thanks

----- Forwarded by John Hillenbrand/R9/USEPA/US on
03/31/2004 09:34 AM

Wendy Phillips

John
Hillenbrand/R9/USEPA/US@EPA, Stephen Cain
cb.ca.gov>
<scain@rb4.swrcb.ca.gov>

To:

Dennis
Dickerson <DDICKERS@rb4.swrcb.ca.gov>,
03/30/2004 04:40
Solomon
<ESOLOMON@rb4.swrcb.ca.gov>, Sean Lee
PM
<slee@rb4.swrcb.ca.gov>

cc:

Ejigu

Subject: Re: Press
release goes out later today

[REDACTED]

[REDACTED]

[REDACTED]

Wendy Phillips
Chief, Storm Water Section
CA Regional Water Quality Control Board, LA Region
phone (213) 576-6618
fax (213) 576-5777

>>> <Hillenbrand.John@epamail.epa.gov> 03/30/04
02:55PM >>>

Sean, hope your catching up on sleep. The below
press release may
show up in local papers tomorrow. Also, I talked to
Brett's consultant
(Terry of Frog Environmental) and he sounds like he
will get Brett to

move forward. If your in the area, you may want to stop by his place.
----- Forwarded by John Hillenbrand/R9/USEPA/US on 03/30/2004 02:32 PM

Francisco Arcaute

To:
John
Hillenbrand/R9/USEPA/US@EPA
03/30/2004 01:55 cc:
PM
Subject: release goes
out later today

For Immediate Release: Tuesday, March 30, 2004
Contact: Francisco Arcaute, (213)
452-3378

US EPA orders gravel mine to comply with
Clean Water Act

LOS ANGELES -- The U.S. Environmental Protection Agency recently ordered Wayne J. Sand and Gravel to comply with the federal Clean Water Act over stormwater discharge violations at its industrial sand and gravel mine operation near Moorpark, Calif.

Federal and state regulations require that sand and gravel operations have pollution control devices (such as settling basins) in place to prevent water contamination. However, during inspections conducted over the past two years at the gravel mine on Grimes Canyon Road, EPA and state inspectors found evidence of discharges of oil, fuel and sediment to a nearby drainage.

During the past two years, state regulators have issued numerous

Clean Water Act citations to Wayne J Sand and Gravel for inadequately contained fuel storage facilities, discharge of truck wash water into a nearby drainage, uncontrolled runoff from mine and automotive parts storage areas, and an inadequate plan to control pollution from other areas of the site.


ARunoff from industrial operations can be a significant cause of water pollution. This poses a very serious problem in Southern California, where the regional water board and the EPA are striving to restore polluted waters," said Alexis Strauss, director of the water division in the EPA=s Pacific Southwest Regional office in San Francisco.

The EPA order requires Wayne J. Sand and Gravel to comply with the Clean Water Act, and take needed actions at the site. In addition, the mine must develop a work plan to prevent future problems at the site. Failure to comply with this order could make the company liable for civil penalties by the EPA of \$32,500 per day.

For more information on U.S. EPA stormwater regulations for industrial sites, visit:

<http://www.epa.gov/ebtpages/watestormindustrialstormwater.html>

###

{In Archive} Re: Wayne J. Sand & Gravel 

John Hillenbrand to: Sean Lee

03/03/2004 02:38 PM

Archive: This message is being viewed in an archive.

Duh, thanks, I just missed it.
Sean Lee <slee@rb4.swrcb.ca.gov>



Sean Lee
<slee@rb4.swrcb.ca.gov>
v>

To: John Hillenbrand/R9/USEPA/US@EPA
cc:
Subject: Re: Wayne J. Sand & Gravel

02/27/2004 04:06 PM

John,

It is C.16 (Availability Section) in the Industrial General Permit.

>>> <Hillenbrand.John@epamail.epa.gov> 02/27/04 03:55PM >>>

Sean, I'm still here. [REDACTED] I'd say it's about [REDACTED] I heard he hired Frog Environmental as you say. [REDACTED] up [REDACTED] on the [REDACTED] and it looks like [REDACTED] just [REDACTED] I'm glad Frog is doing a file review because that means Brett is working in it. [REDACTED]

[REDACTED] I have 1 question: I can't find where in the General Permit is the requirement for the site to have a copy of the permit on hand. I'm sure it's there somewhere but I can't find it. Do you know where it is. One of your allegations early on was that they did not have a copy of the permit on hand. Thanks

Sean Lee
<slee@rb4.swrcb.ca.gov>
Hillenbrand/R9/USEPA/US@EPA
<ESOLOMON@rb4.swrcb.ca.gov>

To: John
cc: Ejigu Solomon
Subject: Wayne J. Sand &

Gravel

02/27/2004 02:52
PM

John,

How are you? I hope you are doing fine.
By the way, did you issue the AO to the Wayne J. Sand & Gravel?

It seems they hired Frog Environmental Consultant because they requested

the file review.

This is just follow-up.

Thanks

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777



{In Archive} response
Sean Lee to: John Hillenbrand

02/27/2004 04:32 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

John,

I faxed you a signed off NTC and yes, we have received 02-03 AR on 7/8/03.

Thanks



{In Archive} Re: Wayne J. Sand & Gravel
Sean Lee to: John Hillenbrand

02/27/2004 04:06 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

John,

It is C.16 (Availability Section) in the Industrial
General Permit.

>>> <Hillenbrand.John@epamail.epa.gov> 02/27/04
03:55PM >>>

Sean, I'm still here. [REDACTED] the AO
[REDACTED] about
[REDACTED] I heard he hired Fred Environmental
as you say. [REDACTED]
[REDACTED] looked up Fred up on the web and it looks like it may
be just what he
needs. I'm glad Fred is doing a file review because
that means Brett is
working in it. [REDACTED] the AO will probably
be 60 days to get
[REDACTED] I have 1 question: I can't find where
in the General
Permit is the requirement for the site to have a copy
of the permit on
hand. I'm sure its there somewhere but I can't find
it. Do you know
where it is. One of your allegations early on was
that they did not
have a copy of the permit on hand. Thanks

Sean Lee
<slee@rb4.swrcb.c To:
John Hillenbrand/R9/USEPA/US@EPA
a.gov> cc:
Ejigu Solomon <ESOLOMON@rb4.swrcb.ca.gov>
Subject: Wayne J. Sand & Gravel
02/27/2004 02:52
PM

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Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777



{In Archive} Re: Wayne J. Sand & Gravel
Sean Lee to: John Hillenbrand

02/27/2004 03:59 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

thank for prompt resonse.

I will try to look it up.

>>> <Hillenbrand.John@epamail.epa.gov> 02/27/04
03:55PM >>>

Sean, I'm still here. [REDACTED]
[REDACTED] I'm glad Frog is doing a file review because
that means Brett is
working in it. [REDACTED]
[REDACTED] I have 1 question: I can't find where
in the General
Permit is the requirement for the site to have a copy
of the permit on
hand. I'm sure its there somewhere but I can't find
it. Do you know
where it is. One of your allegations early on was
that they did not
have a copy of the permit on hand. Thanks

Sean Lee
<slee@rb4.swrcb.c To:
John Hillenbrand/R9/USEPA/US@EPA
a.gov> cc:
Ejigu Solomon <ESOLOMON@rb4.swrcb.ca.gov>
Subject: Wayne J. Sand & Gravel
02/27/2004 02:52
PM

John,

How are you? I hope you are doing fine.
By the way, did you issue the AO to the Wayne J. Sand
& Gravel?

It seems they hired Frog Environmental Consultant
because they requested
the file review.

This is just follow-up.

Thanks

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777



{In Archive} Re: Wayne J. Sand & Gravel, Inc.
Ellen Blake to: John Hillenbrand

12/19/2003 10:00 AM

Archive:

This message is being viewed in an archive.

----- Forwarded by Ellen Blake/R9/USEPA/US on 12/19/2003 09:59 AM -----



Sean Lee
<slee@rb4.swrcb.ca.gov>
v>

To: Ellen Blake/R9/USEPA/US@EPA
cc:
Subject: Re: Wayne J. Sand & Gravel, Inc.

12/19/2003 07:30 AM

Ellen,

Thank you for forwarding this issue to John, and I talked to him. We set up a site inspection at 11:30am on Jan.9th , but I would like to change it to 1:00 pm. Would you ask John if that is okay with him? I left a message to his voice mail, and I will be on vacation in next two weeks. He call call me and confirm a new site inspection time because I will be checking my message occassionaly.

Thanks Ellen.

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777

>>> <Blake.Ellen@epamail.epa.gov> 12/16/03 04:23PM >>>

That should be fun. How long is she staying? I'm just going to spend it with my family in Orange County. No big plans, but it should be fun.

Sean Lee		
<slee@rb4.swrcb.ca.gov>	To:	Ellen
Blake/R9/USEPA/US@EPA	cc:	
	Subject:	Re: Wayne J.
Sand & Gravel, Inc.		
12/16/2003 04:21		

PM

thanks,

any special plan for this Christmas? My mom is coming over, so we are planning to visit the Lake Tahoe.

>>> <Blake.Ellen@epamail.epa.gov> 12/16/03 04:19PM >>>

Sure, he's in Nevada this week on inspections, but I will ask him as soon as he gets back.

Sean Lee

<slee@rb4.swrcb.ca.gov>
Blake/R9/USEPA/US@EPA
mwehtje@dfg.ca.gov, Julie Clark

To: Ellen

cc:

<jclark@rb4.swrcb.ca.gov>

12/16/2003 04:16

Subject: Re: Wayne J.

Sand & Gravel, Inc.

PM

Find then it sound like Jan.9th would be good for everybody. Could you ask John if he could come down here on Jan.9th?

>>> <Blake.Ellen@epamail.epa.gov> 12/16/03 04:12PM >>>

Since John is going to take the case, it might be better for you to take him. If the other agencies are going on the 22nd, then I will also go to represent EPA. But if it's just you and I and you'd be taking the other agencies later, then it would be better to wait until John was available.

Sean Lee
Blake/R9/USEPA/US@EPA <slee@rb4.swrcb.c
a.gov> To: Ellen
cc:
Subject: Re: Wayne J.
Sand & Gravel, Inc.
12/16/2003 04:08
PM

At least for you and me, yes for sure, I do not know other agencies
such
as US Army Corp and Dept of Fish and Game. If they can not make it, I
can take them separately.

Thanks

>>> <Blake.Ellen@epamail.epa.gov> 12/16/03 04:05PM >>>

So we're definitely doing it on the 22nd? I'll have to check into my
transportation. Let me know if it's a definite and I'll rent a car
for
the day...

Sean Lee
Blake/R9/USEPA/US@EPA <slee@rb4.swrcb.c
a.gov> To: Ellen
cc:
Subject: Re: Wayne J.
Sand & Gravel, Inc.
12/16/2003 04:03
PM

Ellen,

What time would you want to stop by my office on 22nd? Upto whoever is availble, only those agencies will be there.

Thanks

>>> <Blake.Ellen@epamail.epa.gov> 12/16/03 03:46PM >>>

Sean,

I'll be in Southern CA on the 22nd of December and could do an inspection if that works. Other than that, John Hillenbrand will most likely arrange something for January.

Ellen

Sean Lee

<slee@rb4.swrcb.c	To:	Julie Clark
<jclark@rb4.swrcb.ca.gov>		
a.gov>	cc:	
mwehtje@dfg.ca.gov, Ellen Blake/R9/USEPA/US@EPA,		Ejigu Solomon
<ESOLOMON@rb4.swrcb.ca.gov>		
12/16/2003 03:34	Subject:	Re: Wayne J.
Sand & Gravel, Inc.		
PM		

Julie,

Ejigu told we can go head and do multi-agency inspection if the US EPA can not come down to LA area soon.

You can set up any date which is convenient to everybody.

Unfortunately, I will be in vacation from 12/22 to Jan. 2/04. I think Jan 7 or 9 would be good for me.

Thanks

Sean Lee

Water Resources Control Engineer

Storm Water Section

Los Angeles Regional Water Quality Control Board

(213) 620-2122

Fax (213) 576-5777

>>> Julie Clark 12/16/03 02:23PM >>>
Okay. And DFG and the Corps?



{In Archive} Re: Wayne J. Sand & Gravel
Sean Lee to: John Hillenbrand

02/18/2004 07:51 AM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

Thanks, John.

>>> <Hillenbrand.John@epamail.epa.gov> 02/18/04
07:31AM >>>

[REDACTED]

Sean Lee
<slee@rb4.swrcb.c To:
John Hillenbrand/R9/USEPA/US@EPA
a.gov> cc:
Subject: Re: Wayne J. Sand & Gravel
02/17/2004 08:17
AM

John,

I review their SWPPP, and you are right it does not
state about
structural BMPs for exposed scrap metals and auto
parts. [REDACTED]

[REDACTED]

I know Brett hired a new consultant, and they will
prepare a new SWPPP.

[REDACTED]

>>> <Hillenbrand.John@epamail.epa.gov> 02/12/04
08:43AM >>>

Hey Sean, I'm writing up the AO and need to confirm that the County talked with Brett and agreed that no sediment basin plan was ever submitted. Is this true? Thanks

Sean Lee

John
Hillenbrand/R9/USEPA/US@EPA
a.gov>

<slee@rb4.swrcb.c To:
cc:

Subject: Wayne J. Sand &
Gravel

02/04/2004 10:31

AM

Hi, John

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Well, during my inspection in 2003, Brett told me he submitted the plan to the County. Anyway, it turned out that Brett did not submit the plan.

Thanks

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777



{In Archive} Re: Wayne J. Sand & Gravel
Sean Lee to: John Hillenbrand

02/17/2004 07:52 AM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

Yes.

I had asked Scott Ellison in Planning Dept in Ventura County a status of Wayne's sediment basin plan. He asked Brett (Wayne's owner) that Brett ever submitted the plan, and Brett said he never submitted the plan.

For the SWPPP question, I will quick review and get back to you. I was in vacation in last couple days.

>>> <Hillenbrand.John@epamail.epa.gov> 02/12/04
08:43AM >>>

Hey Sean, I'm writing up the AO and need to confirm that the County talked with Brett and agreed that no sediment basin plan was ever submitted. Is this true? Thanks

Sean Lee
<slee@rb4.swrcb.c To:
John Hillenbrand/R9/USEPA/US@EPA
a.gov> cc:
Subject: Wayne J. Sand & Gravel
02/04/2004 10:31
AM

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Well, during my inspection in 2003, Brett told me he submitted the plan to the County. Anyway, it turned out that Brett did not submit the plan.

Thanks

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777



{In Archive} Fwd: Re: Wayne J Sand & Gravel

Ellen Blake to: John Hillenbrand

12/16/2003 09:12 AM

Archive:

This message is being viewed in an archive.

----- Forwarded by Ellen Blake/R9/USEPA/US on 12/16/2003 09:12 AM -----



Sean Lee
<slee@rb4.swrcb.ca.gov
v>

12/16/2003 07:48 AM

To: Ellen Blake/R9/USEPA/US@EPA
cc: Ejigu Solomon <ESOLOMON@rb4.swrcb.ca.gov>, Julie Clark
<jclark@rb4.swrcb.ca.gov>

Subject: Fwd: Re: Wayne J Sand & Gravel

Ellen,

I will try to send you the case files in this week. When you or mining section staff would like to visit the site, please let me know. We will arrange multi-agency visiting at that day or if your visiting would be far away, please let me know also. In this case, we will go head visit the site by ourselves.

Thanks

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777

----- Message from Ejigu Solomon <ESOLOMON@rb4.swrcb.ca.gov> on Mon, 15 Dec 2003 15:52:54 -0800 -----

To: Julie Clark <jclark@rb4.swrcb.ca.gov>, Sean Lee <slee@rb4.swrcb.ca.gov>

Subject: Re: Wayne J Sand & Gravel

Julie:

Sean's next site visit will probably be with USEPA staff from Region 9. I recommends that a staff from your unit join them to determine applicability of your 401 program. Thanks.

Ejigu Solomon
Chief, Ventura Storm Water Unit
Los Angeles Regional Water Quality Control Board
(213) 620-2237
fax (213) 576-5777


>>> Julie Clark 12/15/03 03:43PM >>>

Sean, the Army Corps instructed the operator of this site not to

conduct permitted activities without authorization. [redacted] Raymond has a good
[redacted] that it is still unclear if they would be in violation of 401
[redacted] authority.

Perhaps a multi-agency site tour with ours, the Army, and Fish and Game
would be appropriate at this point. Do you need to make any site
visits?



{In Archive} Re: Wayne J. Sand & Gravel, Inc. 
Ellen Blake to: Sean Lee

12/16/2003 04:23 PM

Archive:

This message is being viewed in an archive.

That should be fun. How long is she staying? I'm just going to spend it with my family in Orange County. No big plans, but it should be fun.

Sean Lee <slee@rb4.swrcb.ca.gov>



Sean Lee
<slee@rb4.swrcb.ca.gov>
v>

To: Ellen Blake/R9/USEPA/US@EPA
cc:
Subject: Re: Wayne J. Sand & Gravel, Inc.

12/16/2003 04:21 PM

thanks,

any special plan for this Christmas? My mom is coming over, so we are planning to visit the Lake Tarho.

>>> <Blake.Ellen@epamail.epa.gov> 12/16/03 04:19PM >>>

Sure, he's in Nevada this week on inspections, but I will ask him as soon as he gets back.

Sean Lee

<slee@rb4.swrcb.ca.gov>
Blake/R9/USEPA/US@EPA
a.gov>
mwehtje@dfg.ca.gov, Julie Clark

To: Ellen

cc:

<jclark@rb4.swrcb.ca.gov>

12/16/2003 04:16

Subject: Re: Wayne J.

Sand & Gravel, Inc.

PM

Find then it sound like Jan.9th would be good for everybody. Could you ask John if he could come down here on Jan.9th?

>>> <Blake.Ellen@epamail.epa.gov> 12/16/03 04:12PM >>>

Since John is going to take the case, it might be better for you to take him. If the other agencies are going on the 22nd, then I will also go to represent EPA. But if it's just you and I and you'd be taking the other agencies later, then it would be better to wait until John was available.

Sean Lee
<slee@rb4.swrcb.c
Blake/R9/USEPA/US@EPA
a.gov>
To: Ellen
cc:
Subject: Re: Wayne J.
Sand & Gravel, Inc.
12/16/2003 04:08
PM

At least for you and me, yes for sure, I do not know other agencies such as US Army Corp and Dept of Fish and Game. If they can not make it, I can take them separately.

Thanks

>>> <Blake.Ellen@epamail.epa.gov> 12/16/03 04:05PM >>>

So we're definitely doing it on the 22nd? I'll have to check into my transportation. Let me know if it's a definite and I'll rent a car for the day...

Sean Lee
<slee@rb4.swrcb.c
Blake/R9/USEPA/US@EPA
a.gov>
To: Ellen
cc:

Sand & Gravel, Inc.

Subject: Re: Wayne J.

12/16/2003 04:03

PM

Ellen,

What time would you want to stop by my office on 22nd? Upto whoever is availble, only those agencies will be there.

Thanks

>>> <Blake.Ellen@epamail.epa.gov> 12/16/03 03:46PM >>>

Sean,

I'll be in Southern CA on the 22nd of December and could do an inspection if that works. Other than that, John Hillenbrand will most likely arrange something for January.

Ellen

Sean Lee

<jclark@rb4.swrcb.ca.gov> .To: Julie Clark
<slee@rb4.swrcb.c
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mwehtje@dfg.ca.gov, Ellen Blake/R9/USEPA/US@EPA,
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12/16/2003 03:34 Subject: Re: Wayne J.
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Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777

>>> Julie Clark 12/16/03 02:23PM >>>
Okay. And DFG and the Corps?



{In Archive} Re: Wayne J. Sand & Gravel, Inc. 

Ellen Blake to: Sean Lee

Cc: John Hillenbrand

12/16/2003 04:12 PM

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To: Ellen Blake/R9/USEPA/US@EPA

cc:

Subject: Re: Wayne J. Sand & Gravel, Inc.

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To: Ellen

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Subject: Re: Wayne J.

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<slee@rb4.swrcb.c	To:	Julie Clark
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{In Archive} Re: Wayne J. Sand & Gravel, Inc. 

Ellen Blake to: Sean Lee

Cc: John Hillenbrand

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To: Ellen Blake/R9/USEPA/US@EPA
cc: mwehtje@dfg.ca.gov, Julie Clark <jclark@rb4.swrcb.ca.gov>
Subject: Re: Wayne J. Sand & Gravel, Inc.

12/16/2003 04:16 PM

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>>> <Blake.Ellen@epamail.epa.gov> 12/16/03 04:12PM >>>

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	Sean Lee	
	<slee@rb4.swrcb.c	To: Ellen
Blake/R9/USEPA/US@EPA	a.gov>	cc:
		Subject: Re: Wayne J.
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	12/16/2003 04:08	
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>>> <Blake.Ellen@epamail.epa.gov> 12/16/03 04:05PM >>>

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a.gov>

To: Ellen

cc:

Subject: Re: Wayne J.

Sand & Gravel, Inc.

12/16/2003 04:03

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12/16/2003 03:34 Subject: Re: Wayne J.
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Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777

>>> Julie Clark 12/16/03 02:23PM >>>
Okay. And DFG and the Corps?



{In Archive} Re: Wayne J. Sand & Gravel, Inc. 
Ellen Blake to: Sean Lee

12/16/2003 04:05 PM

Archive: This message is being viewed in an archive.

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Sean Lee <slee@rb4.swrcb.ca.gov>



Sean Lee
<slee@rb4.swrcb.ca.gov>
v>

To: Ellen Blake/R9/USEPA/US@EPA
cc:
Subject: Re: Wayne J. Sand & Gravel, Inc.

12/16/2003 04:03 PM

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<slee@rb4.swrcb.c
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a.gov>

To: Julie Clark

mwehtje@dfg.ca.gov, Ellen Blake/R9/USEPA/US@EPA,

cc:

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12/16/2003 03:34

Subject: Re: Wayne J.

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Storm Water Section

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>>> Julie Clark 12/16/03 02:23PM >>>

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{In Archive} Re: Wayne J. Sand & Gravel, Inc.
Sean Lee to: Ellen Blake, John Hillenbrand
Cc: mwehtje, Ejigu Solomon, Julie Clark

12/16/2003 03:50 PM

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

Julie,

I can come to work on 22nd, Could you check if anybody is available on that day?

Morgan,

Is this date okay with you or your staff?

Thanks

Sean Lee
Water Resources Control Engineer
Storm Water Section
Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777

>>> <Blake.Ellen@epamail.epa.gov> 12/16/03 03:46PM
>>>

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<slee@rb4.swrcb.ca.gov> To:
Julie Clark
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a.gov cc:
mwehtje@dfg.ca.gov, Ellen Blake/R9/USEPA/US@EPA,
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12/16/2003 03:34
Subject: Re: Wayne J.

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Storm Water Section


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>>> Julie Clark 12/16/03 02:23PM >>>

Okay. And DFG and the Corps?

{In Archive} Re: Wayne J. Sand & Gravel 
John Hillenbrand to: Sean Lee

02/05/2004 08:02 AM

Archive: This message is being viewed in an archive.

Thanks, It's too bad this guy has such trouble understanding what this is all about.
Sean Lee <slee@rb4.swrcb.ca.gov>



Sean Lee
<slee@rb4.swrcb.ca.gov>
v>

To: John Hillenbrand/R9/USEPA/US@EPA
cc:
Subject: Wayne J. Sand & Gravel

02/04/2004 10:31 AM

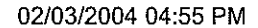
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Storm Water Section
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Fax (213) 576-5777



Julie Clark
 <jclark@rb4.swrcb To:
 John Hillenbrand/R9/USEPA/US@EPA
 .ca.gov> cc:
 chrisA.stephens@mail.co.ventura.ca.us, Sean Lee
 <slee@rb4.swrcb.ca.gov>, Valerie Carrillo
 01/16/2004 10:35

<vcarrillo@rb4.swrcb.ca.gov>

AM

Subject: Fwd: Re: Wayne J Sand & Gravel, Fillmore

Please see the forwarded. [REDACTED]

>>> Rodney Nelson 01/16/04 09:21AM >>>

[REDACTED] disposing waste generated from their
operation.
([REDACTED] from somewhere else.
I think we would
have to determine if the
landfill material
is [REDACTED] and not [REDACTED]
and is regulated by
the regulations we would be interested

>>> Julie Clark 01/16/04 09:02AM >>>

okay. what about landfill wdr?



{In Archive} Wayne J. Sand & Gravel
Sean Lee to: John Hillenbrand

02/04/2004 10:32 AM

History: This message has been forwarded.

Archive: This message is being viewed in an archive.

Hi, John

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Storm Water Section
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{In Archive} Re: Wayne J. Sand & Gravel 
John Hillenbrand to: Sean Lee

02/12/2004 08:43 AM

Archive: This message is being viewed in an archive.

Hey Sean, I'm writing up the AO and need to confirm that the County talked with Brett and agreed that no sediment basin plan was ever submitted. Is this true? Thanks
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Sean Lee
<slee@rb4.swrcb.ca.gov>
v>

To: John Hillenbrand/R9/USEPA/US@EPA
cc:
Subject: Wayne J. Sand & Gravel

02/04/2004 10:31 AM

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Los Angeles Regional Water Quality Control Board
(213) 620-2122
Fax (213) 576-5777



{In Archive} Wayne J. Sand & Gravel, Inc.

Sean Lee to: Ellen Blake

Cc: Ejigu Solomon

12/11/2003 10:40 AM

Archive:

This message is being viewed in an archive.

Hi, Ellen

I hope you have been doing fine.

I would like to refer this sand & gravel facility to you.

Name: Wayne J. Sand & Gravel, Inc.

Operation: Mining operation

Receiving water body: Grime Canyon Wash-Arroyo

Simi(303 d list)

Permits: Construction Permit for Mine Access Road building on 155 acres

disburbing 12 acres & Industrial Permit for their mining operation.

Violation History

1) Construction:

1 NTC & 2 NOVs issued for discharging sediments directly to the Creek due to ineffective sediement & erosion control BMPs. They have major slopes w/o eroson control BMPs.

2) Industrial:

2 NTCs, 4 NOVs issued for ineffective non-storm water management causing sediments discharges to directly creek, ineffective structural BMPs for exposing rusted metals, oil drums, and auto parts, and illicit pipe connection.

3) As I know, Ventura County had issued couple of noncompliance letters.

Please let me know if the EPA could have interesting on this case for your next visit.



{In Archive} Re: Wayne J. Sand & Gravel, Inc.

Ellen Blake to: Sean Lee

Cc: Ejigu Solomon

12/11/2003 11:26 AM

Archive:

This message is being viewed in an archive.

Hi Sean,

It looks like we'll go ahead and take this one. Could you make a copy of the file and send it up? You can send it to my attention. John Hillenbrand (our mining guy) will probably take this one, but if not, I will. If he takes it, then I'm free to take another case if you guys have one!

Thanks, have a great holiday,

Ellen

Sean Lee <slee@rb4.swrcb.ca.gov>



Sean Lee
<slee@rb4.swrcb.ca.gov>
v>

To: Ellen Blake/R9/USEPA/US@EPA
cc: Ejigu Solomon <ESOLOMON@rb4.swrcb.ca.gov>
Subject: Wayne J. Sand & Gravel, Inc.

12/11/2003 10:39 AM

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